

**United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA

V.

CRIMINAL ACTION NO. 3:21-CR-0366-S

YAROSLAV VASINSKYI (1)
a/k/a PROFCOMSERV
a/k/a RABOTNIK
a/k/a RABOTNIK NEW
a/k/a YARIK45
a/k/a YAROSLAV2468
a/k/a AFFILIATE 22

PROTECTIVE ORDER GOVERNING DISCOVERY MATERIALS

Before the Court is the Government's Unopposed Motion for Protective Order Governing Disclosure of Discovery Materials [ECF 29]. The motion, in accordance with the findings set forth below is **GRANTED**.

WHEREAS, the Government will provide materials to Defendant in the course of the discovery process in this case (hereafter “Discovery Materials”), which may include materials which relate to the underlying investigation of Defendant, include information about yet to be arrested conspirators, and contains personal identifying information of uncharged individuals and entities.

AND WHEREAS, the parties agree that the Government has a compelling interest in preventing Discovery Materials from being disclosed to anyone not a party to the court proceedings in this matter, as such material may include information relevant to ongoing investigation and prosecution, and such materials may implicate the privacy interests of the third parties;

AND WHEREAS, the parties further agree that the Court has the power under Fed. R. Crim. P.16(d)(1) and 49.1(e) to grant appropriate relief to the parties where required in the interests of justice;

IT IS ORDERED that:

- a) Except as provided below, Discovery Materials shall not be further disseminated¹ by Defendant or his counsel of record to any individuals, organizations or other entities, other than: (i) members of the defense team (co-counsel, paralegals, investigators, translators, litigation support personnel, the defendants, and secretarial staff) and (ii) experts retained to assist in the preparation of the defense or determine if a plea of guilty is appropriate.
- b) No Discovery Material shall be disseminated to any member of the defense team, as defined above, expert witness retained by the defense team, or any duly authorized witness unless that person shall first have signed the Acknowledgment in the form attached hereto as Appendix A, agreeing to comply with the terms of this Order. The signed Acknowledgment shall be filed with the Court under seal. The substitution, departure, or removal for any reason from this case of counsel for Defendant, or anyone associated with the defense team shall not release that person from the provisions of this Order or the Acknowledgement executed in connection with this Order.

¹ "Disseminated" means to provide, show or describe to another either a particular piece of discovery or quotations, excerpts, or summaries derived therefrom.

- c) Defense counsel shall advise any person to whom the discovery materials are disclosed in accordance with this Order that further disclosure or dissemination is prohibited without defense counsel's express consent.
- d) Notice of proposed dissemination to defense experts shall be provided to the Court *ex parte* and under seal. Each of the individuals to whom disclosure is made pursuant to the above provision shall be provided a copy of this protective order and will be advised that he or she shall not further disseminate the materials except by the express direction of counsel of record or co-counsel. The Government shall provide copies of any Discovery Material appropriately so marked.
- e) Discovery Material shall not be maintained by Defendant, nor be in the sole physical custody of Defendant, nor shall Defendant be permitted to make notes of the content of said materials and keep such notes with him or disperse such notes or the contents thereof to anyone other than his attorney or members of his attorney's staff.
- f) Defense counsel shall store all Discovery Materials, and any copies thereof, in a secure place at all times.
- g) The Discovery Materials in this case are now and will forever remain the property of the United States Government. At the conclusion of this case, all Discovery Materials shall be destroyed or maintained under secure conditions by defense counsel. Upon written request of the Government, all Discovery Materials shall be returned to the Government.

Nothing in this Order shall preclude the Government or Defendant from seeking a further protective order pursuant to Rule 16(d) as to particular items of discovery material. This Order is

entered without prejudice to either party's right to seek a revision of the Order by appropriate motion to the Court.

SO ORDERED.

SIGNED March 22, 2022.



KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE